

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WELLS FARGO BANK, N.A., as Trustee for
the registered holders of Banc of America
Commercial Mortgage Inc., Commercial
Mortgage Pass Through Certificates, Series
2006-1,

Plaintiff,

-v-

FOURTH QUARTER PROPERTIES 1
(CAYMAN ISLANDS) LTD., *et al.*,

Defendants.

USDS SDNY
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ELECTRONICALLY FILED
DOC #:
DATE FILED: 6/1/10

No. 10 Civ. 4247 (RJS)
ORDER

RICHARD J. SULLIVAN, District Judge:

The parties are HEREBY ORDERED to appear for a status conference on July 20, 2010 at 9:30 p.m. in Courtroom 21C of the United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York.

IT IS FURTHER HEREBY ORDERED THAT, by July 13, 2010 at 4:00 p.m., the parties shall jointly submit a letter, not to exceed five (5) pages, providing the following information in separate paragraphs:

- (1) A brief statement of the nature of the action and the principal defenses thereto;
- (2) A brief explanation of why jurisdiction and venue lie in this Court;
- (3) A brief description of all outstanding motions and/or outstanding requests to file motions;
- (4) A brief description of any discovery that has already taken place, and that which will be necessary for the parties to engage in meaningful settlement negotiations;
- (5) A list of all prior settlement discussions, including the date, the parties

involved, and the approximate duration of such discussions, if any;

- (6) The estimated length of trial; and
- (7) Any other information that you believe may assist this Court in resolving this action.

IT IS FURTHER ORDERED THAT, by July 13, 2010 at 4:00 p.m., the parties shall submit to the Court a proposed case management plan and scheduling order. A template for the order is available at http://www1.nysd.uscourts.gov/judge_info.php?id=99.

The status letter and the proposed case management plan should be emailed to my chambers at the following email address: sullivannysdchambers@nysd.uscourts.gov. Please consult my Individual Rules with respect to communications with chambers and related matters.

Should Defendant(s) wish to file a motion to dismiss prior to its answer, the parties need not submit a proposed case management plan. Rather, the parties shall submit pre-motion letters in accordance with my Individual Practices along with the joint-letter outlined above. The pre-motion letter(s) must be submitted within the time limits prescribed for filing such a motion under Rule 12, and the deadline to file the motion itself will be stayed until the Court holds a pre-motion conference.

IT IS FURTHER ORDERED THAT Plaintiff shall serve a copy of this Order on Defendants forthwith.

SO ORDERED.

DATED: June 1, 2010
New York, New York


RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE